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SUBJECT: PRISON ABUSE SCANDAL PUTS GOI ON THE DEFENSIVE

REF: A. BAGHDAD 1546
[1](#)B. BAGHDAD 1555
[1](#)C. BAGHDAD 1671

Classified By: Acting Political Counselor John Fox for reason 1.4 (d)

Summary

[1](#)1. (SBU) The issue of detainee abuse and prison conditions has been transformed into an election-year hot potato following the assassination of Deputy Human Rights Committee Chairman Dr. Harith al-Obeidi, a Sadrist parliamentary bloc report alleging human rights violations by security officials, and a hunger strike by prisoners protesting their treatment at the hands of the Ministry of Interior (MOI). The combination of these three events, all extensively covered by the media, has generated intense public scrutiny and a strong effort by the GOI to be seen as addressing the issue. The MOI has suspended a number of officers for alleged human rights violations. The Prime Minister has formed an interministerial committee to investigate the human rights abuses in Iraqi prisons. The head of the High Judicial Council has publicly noted his concern over the situation. End summary.

Prison Abuse Becomes a Political Football

[1](#)2. (SBU) On June 11, a group of three Sadrist MPs (Falah Hasan Shanshal, Maha al-Duri, and Tahsin Hamid Khalaf al-Ta'ee), along with Annar Tu'ma al-Hameidi (Fadhila) and Amir Thamir Ali (UIA), read a report in a plenary session of parliament alleging that 11 people were being held in illegal detention centers at the National Police headquarters in Baghdad and had been tortured. These accusations sparked a heated debate about detainee abuse (ref A). On the following day, June 12, Dr. Harith al-Obeidi, the Deputy Chairman of Parliament's Human Rights Committee and the head of Tawafuq, the largest Sunni political party in Parliament, was assassinated leaving Friday prayers at a mosque in Baghdad. Al-Obeidi was a leading advocate for human rights and had worked hard on the issue of detainee abuse; his assassination drew even greater public scrutiny to the issue as rumors swirled that his advocacy on prisoner abuse had made him a target (ref B). On June 15, the same 11 prisoners at the center of the Sadrist report initiated a hunger strike to protest their treatment inside a Baghdad Ministry of Interior (MOI) prison facility. As more prisoners joined the hunger strike in prisons throughout Iraq, the additional media attention brought the issue to the political forefront. On June 24, the Sadrists broadened their focus. Sadr MP Ahmad al-Masoudi called on Parliament to call the PM and Minister of Defense to Parliament for questioning on the allegations of mistreatment of detainees in MOI facilities. Al-Masoudi asked for a withdrawal of confidence in the PM and Minister of Defense if innocent detainees were not released.

[1](#)3. (C) The Sadrist bloc prisoner abuse report is at the

heart of the ongoing scandal. Two members of Parliament's Human Rights Committee, Shatha al-Obosi (Iraqi Islamic Party, IIP) and Hunein al-Qaddo (Shabak), argued to Poloff that political motives, rather than a genuine concern for prison conditions, underlay the report. Al-Obosi commented on June 18 that the Sadrism member of the Human Rights Committee, Husayn al-Abedi, had only attended one committee meeting this year. Al-Obosi believed that the fact that al-Abedi was now agitating about the report submitted to Parliament by his Sadrism colleagues was disingenuous. Al-Obosi also noted that there were thousands of detainees in Iraq and asked rhetorically why these 11 were so special. She insinuated that they were perhaps Jaysh al-Mahdi leaders and that the Sadrists were trying to get them released so that they could be back on the streets in time for the June 30 withdrawal of Coalition Forces from Iraq's cities. MP al-Qaddo was even more blunt, telling Poloff on June 20 that the Sadrists were now exploiting al-Obeidi's assassination for political gain. He stated that while there were abuses in some MOI facilities, there were not "serious" violations and that, in general, human rights abuses in MOI facilities were not news. He too questioned why the Sadrists had chosen to raise the issue now, if not for strictly political reasons.

MOI Officials Reprimanded for Abuses

14. (C) According to Nema Hashem, Director of Human Rights for the Ministry of Interior (MOI), 11 Ministry officials, including one general, two colonels, two majors and two lieutenants have been suspended pending investigation into

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charges of detainee abuse. These suspensions arose as a direct result of the allegations raised by the June 11 report to parliament. While previous investigations into MOI abuses were dealt with by the Ministry's department of internal affairs, with punishments tending to be no more than a transfer, these investigations will be handled by investigative judges and could lead to incarceration. Hashem also confirmed media reports that over 40 police officers have been suspended indefinitely following allegations of abuse in other facilities. These investigations will also be handled by investigative judges.

15. (C) Hashem, who is tasked with visiting and reporting on all MOI detention facilities, told Poloff that the major complaint he hears from detainees involves the length of time they remain in custody prior to a judicial hearing. It is not uncommon for people to remain in an MOI prison for one year before their case is investigated and a sentence passed. This point was seconded by MP al-Qaddo, who told Poloff that the reason detainees do not have their cases heard in a timely fashion is that Iraq does not have enough judges to review the cases, and that these judges are hampered by security concerns and unable to visit prisons more than twice a week. To address the problem of prolonged detention, Hashem said that the MOI is setting up commissions in each of its detention facilities throughout the country to "speed up" the process. These commissions will consist of an investigative judge to review each inmate's case. Hashem was confident that these commissions will be established within the next seven to ten days.

Prison Protests Erupt Around the Country

16. (SBU) On June 15, Muqtada al-Sadr broadcast a plea for his followers who were being held in Iraqi detention facilities to commence a hunger strike. Six days later, Embaffs learned that approximately 400 inmates of MOI facilities in Baghdad had begun a hunger strike to protest the government's failure to review their cases and move them

through the legal system. By the following afternoon, after receiving assurances from GOI officials that investigative judges would begin to look into their cases, all the detainees had ended their strike.

¶17. (SBU) The Embassy received other reports of unrest throughout the country in response to the claims of detainee abuses and prison conditions. On June 19 a number of women staged a demonstration in Kut across from the Wasit Provincial Council building to protest the abuse of Iraqi detainees in the province's detention facilities. The next day, over 1,000 residents of Diyala province took to the streets of Baaquba to protest human rights violations and call for the immediate release of detainees (mainly Sunnis) being illegally held in Iraqi prisons.

Damage Control

¶18. (C) Responding to the scandal, on June 18 the Prime Minister formed an interministerial committee to inspect all of Iraq's detention centers and investigate allegations of abuse within them. This committee is headed by General Farouq al-Araji, Director of the Office of Commander in Chief (OCINC), and consists of representatives from the National Security Agency, High Judicial Council and the Ministries of Defense, Interior, Human Rights, Justice, Labor and Social Affairs. (Note: Parliament may also have a representative sit on the committee, or may have an observer role. End note.).

¶19. (C) In a June 22 meeting with Poloff, MP al-Obosi, Q9. (C) In a June 22 meeting with Poloff, MP al-Obosi, usually critical of the GOI's position on detainees, was ebullient in her praise for this committee. "It is better to solve the problem quietly than argue with the government publicly," she said. She viewed General Farouq's appointment as chairman of the committee as indicative of a firm commitment from the Prime Minister to finally address the problem of Iraqi prisons. She believes that Farouq's position as Director of OCINC brings a significant amount of political muscle to the committee's investigations and that its recommendations will be acted upon by PM Maliki.

¶10. (C) Finally, on June 17, Medhat al-Mahmoud, Chief Justice of Iraq and President of the Higher Judicial Council, made a surprise visit to Ministerial Committee on the Rule of Law and Detention to demand greater cooperation from other government ministries in reducing the number of detainees held without legal due process (ref C). (Comment: The timing of the visit, within days of the prison-abuse scandal's breaking into the open, does not appear to be

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coincidental. End comment.).

Comment

¶11. (C) While the Sadrists' motives for having raised the profile of detainees and prison conditions may be more political than humanitarian, their actions have brought much-needed attention to human rights abuses in Iraqi prisons and the need for greater due process, and have put pressure on the Prime Minister to act. The Sadrists' high-profile tactics and shrewd exploitation of parliamentary debate contrast with our Sunni contacts' general unwillingness to complain publicly or attempt to pressure the government, despite their frequent complaints about detainees to USG officials. We note how increased media scrutiny has catalyzed GOI corrective action, and will make this point to our journalist and press freedom NGO contacts. The Embassy will work closely with the Minister of Human Rights as well as human rights watchdogs in the Ministry of Interior to make

sure that there is sustained action and follow up to the current crisis rather than simply another government report and a few token arrests. End comment.

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